

CHAPTER NO. 861

SENATE BILL NO. 2699

By Henry, Finney

Substituted for: House Bill No. 3395

By McMillan, Coleman, Litz, Russell Johnson

AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to eligibility for exemption of land from property taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-5-212, is amended by deleting the third sentence of subsection (o) and substituting instead the following:

Qualifying land in excess of the limit shall be classified as forest land upon application submitted pursuant to § 67-5-1006, or as open space land upon application submitted pursuant to § 67-5-1007, and the effective date of the classification shall be the date the property might otherwise have qualified for exemption.


SECTION 2. Tennessee Code Annotated, Section 67-5-1008, is amended by adding the following as a new, appropriately designated subsection:

() Property passing to a lineal descendant of a deceased greenbelt owner by reason of the death of the greenbelt owner, shall not be subject to rollback solely because the total greenbelt acreage of the new owner exceeds the maximum under Section 67-5-1003 or will exceed the maximum following the transfer. Property exceeding the limit in these circumstances shall be disqualified from greenbelt but shall not be assessable for rollback unless other disqualifying circumstances occur before the property has been assessed at market value three (3) years.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it, and in addition to prospective applications shall apply to applications pending before or under appeal to the state board of equalization, applications for which the executive secretary or state board designee has made a determination but the period in which to appeal under § 67-5-1501(c) has not run, or applications for which an appeal has been filed in court.

Passed: May 23, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 5th day of June 2006


PHIL BREDESEN, GOVERNOR